

AMENDED IN ASSEMBLY MAY 8, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1487

**Introduced by Assembly Member Thomson
(Coauthor: Assembly Member Canciamilla)**

February 23, 2001

An act to amend Section 12980 of, and to add Sections 12300.5 and 12311.5 to, the Water Code, relating to water, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1487, as amended, Thomson. Flood protection.

Existing law requires the Department of Water Resources to develop and implement a program of flood control projects on prescribed islands in the Sacramento-San Joaquin Delta. Existing law requires the department to develop and submit to the Reclamation Board criteria for the maintenance and improvement of nonproject levees, which are defined to include certain flood control levees in the delta, and establishes a program pursuant to which local agencies maintaining nonproject levees are eligible for reimbursement.

This bill would require the department to develop and implement a program of flood control projects in the Suisun Marsh for the purposes of protecting public facilities, urbanized areas, water quality, recreation, navigation, fish and wildlife habitats, and providing net long-term habitat improvement in connection with those projects. The bill would expand the definition of nonproject levee to include certain flood control levees in the Suisun Marsh for the purposes of the levee maintenance program.

The bill would create the Suisun Marsh Flood Protection Fund and would annually appropriate an unspecified amount of money from the fund to the department transfer from the General Fund to the fund, and appropriate to the department, \$2,000,000, for the fiscal years 2001–02 to and including 2012–13, for the development of flood control projects in the Suisun Marsh and to carry out levee maintenance projects that benefit the Suisun Marsh, as prescribed.

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 12300.5 is added to the Water Code, to
2 read:
- 3 12300.5. The Suisun Marsh Flood Protection Fund is hereby
4 created. The fund consists of money appropriated from the
5 General Fund and any other money deposited in the fund.
- 6 SEC. 2. Section 12311.5 is added to the Water Code, to read:
- 7 12311.5. The department shall develop and implement a
8 program of flood control projects in the Suisun Marsh for the
9 purposes of protecting public highways and roads, utility lines and
10 conduits, and other public facilities, urbanized areas, water
11 quality, recreation, navigation, fish and wildlife habitats, and
12 providing net long-term habitat improvement in connection with
13 those flood control projects.
- 14 SEC. 3. Section 12980 of the Water Code is amended to read:
- 15 12980. As used in this part:
- 16 (a) “Board” means the Reclamation Board.
- 17 (b) “Delta” means the Sacramento-San Joaquin Delta as
18 described in Section 12220.
- 19 (c) “Local agency” means any city, county, district, or other
20 political subdivision of the state which is authorized to maintain
21 levees.
- 22 (d) “Net long-term habitat improvement” means enhancement
23 of riparian, fisheries, and wildlife habitat.
- 24 (e) “Nonproject levee” means a local flood control levee in the
25 delta, or the Suisun Marsh as described in Sections 29101 and
26 29101.5 of the Public Resources Code, that is not a project facility
27 under the State Water Resources Law of 1945, as shown on page

38 of the Department of Water Resources “Sacramento-San Joaquin Delta Atlas,” dated 1993.

(f) “Project levee” means a federal flood control levee, as shown on page 40 of the Department of Water Resources “Sacramento-San Joaquin Delta Atlas,” dated 1993, that is a project facility under the State Water Resources Law of 1945 (Chapter 1 (commencing with Section 12570) and Chapter 2 (commencing with Section 12639) of Part 6), if not less than a majority of the acreage within the jurisdiction of the local agency that maintains the levee is within the primary zone of the delta, as defined in Section 29728 of the Public Resources Code.

~~SEC. 4. (a) There is hereby annually appropriated the sum of _____ dollars (\$_____) for each of the following fiscal years from the Suisun Marsh Flood Protection Fund to the Department of Water Resources: 2001–02 to and including 2012–13.~~

SEC. 4. (a) There is hereby annually transferred from the General Fund to the Suisun Marsh Flood Protection Fund, and appropriated to the Department of Water Resources, the sum of two million dollars (\$2,000,000) for each of the following fiscal years: 2001–02 to and including 2012–13.

(b) The funds appropriated pursuant to subdivision (a) shall be annually allocated by the department for each of those fiscal years, as follows:

(1) The sum of ~~_____ dollars (\$_____) one million dollars (\$1,000,000)~~ to carry out Section 12311.5 of the Water Code, including related subsidence studies and monitoring, habitat enhancement projects, and dredge material beneficial reuse projects.

(2) The sum of ~~_____ dollars (\$_____) one million dollars (\$1,000,000)~~ to carry out levee maintenance projects that benefit the Suisun Marsh in accordance with Part 9 (commencing with Section 12980) of Division 6 of the Water Code.